

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOHN DOE,

Plaintiff,

V.

**VIRGINIA POLYTECHNIC
INSTITUTE AND STATE
UNIVERSITY, *et al.*,**

Defendants.

Civil Action No. 7:21-cv-00378

MOTION FOR EXTENSION OF TIME TO AMEND COMPLAINT

COMES NOW the Plaintiff, John Doe (“Plaintiff”), and files this Motion for Extension of Time to Amend Complaint. For the reasons stated below, Plaintiff respectfully requests that his time to file a new Amended Complaint be extended by thirty (30) days, making his amended complaint due on or before August 23, 2023. In support thereof, Plaintiff states as follows:

1. On February 23, 2023, this Court issued its Memorandum Opinion and Order, ECF Nos. 59 and 60, granting in part and denying in part Defendants' motion to dismiss.
2. On that same date, this Court granted Plaintiff's former counsel's motion to withdraw.
3. Plaintiff, proceeding *pro se*, filed a number of documents with the Court, *see* ECF Nos. 68, 69, 70, 71, and 72; during a status conference on June 22, 2023, Plaintiff indicated that his former counsel did not include certain information he deemed pertinent in the earlier versions of his complaint. Thus, the Court determined, in the interest of justice, to grant Plaintiff permission to amend his Complaint in this case on or before July 24, 2023. *See* ECF No. 79.

4. In that same order, the Court directed the Clerk to reach out to a local attorney to see whether his firm would be interested in representing Plaintiff on a *pro bono* basis. *See* ECF No. 79.
5. Plaintiff has now retained counsel on a *pro bono* basis. However, additional time is needed for Plaintiff's counsel to familiarize themselves with this case.
6. Therefore, Plaintiff respectfully requests that his time to file a new Amended Complaint be extended by thirty (30) days, making his amended complaint due on or before August 23, 2023.
7. Plaintiff's counsel have reached out to Defendants' counsel and they do not object to this extension of time.

WHEREFORE, for good cause shown, Plaintiff prays that this Court grant his Motion for Extension of Time to Amend Complaint and extend his time to amend his Complaint by thirty (30) days, making his amended complaint due on or before August 23, 2023. A proposed order is attached hereto.

Respectfully submitted,

John Doe

By: /s/ Daniel J. Martin
Of Counsel

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

By: /s/ Daniel J. Martin
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